## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

	)
STEVE and BETH DUDLEY, individually and on	)
behalf of all others similarly situated,	)
•	) (Circuit Court for Madison County,
Plaintiffs,	) Illinois, Case No. 2003 L 001540)
	)
v.	) Case No. 3:10-cv-00327-GPM-DGW
	)
PUTNAM INVESTMENT FUNDS and PUTNAM	)
INVESTMENT MANAGEMENT, LLC,	)
	)
Defendants.	)
	)

## STIPULATION REGARDING THE COURT'S ORDER DATED MAY 3, 2010

Defendants Putnam Investment Funds and Putnam Investment Management, LLC (collectively, the "Defendants") and Plaintiffs, through their undersigned counsel, hereby stipulate as follows:

WHEREAS, Defendants removed this action on April 29, 2010, and Defendants maintain that the removal was undertaken in good faith and was warranted by existing law or a good faith argument for the extension, modification or reversal of existing law, and that it was not interposed for any improper purpose;

WHEREAS, the Court issued an order dated May 3, 2010 (the "Order") (Exhibit A hereto), stating that the March 30, 2010 mandate of the Appellate Court of Illinois, Fifth Judicial District, in *Kircher v. Putnam Funds Trust*, Madison County Circuit Court Case No. 2003 L 001254, did not constitute an "other paper" authorizing removal in this case, and that, pursuant to 28 U.S.C. § 1446(b), Defendants' removal was therefore procedurally defective;

WHEREAS, the Court's Order required the Parties to submit briefing on or before May 10, 2010 regarding, *inter alia*, the stated procedural defect in removal; and

WHEREAS, Defendants, shortly after obtaining the Court's Order, informed Plaintiffs that they are prepared, without requiring either side to incur the expenditure of additional attorneys' fees or costs on the point, to consent to remand;

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Defendants as follows:

- 1. The parties consent to the remand of the above-captioned case to the Circuit Court for Madison County.
- 2. The parties respectfully request that the Court relieve them of the schedule set forth in the Order for the submission of briefing.
  - 3. The parties will submit to the Court a proposed order concerning this Stipulation.

s/ Charles L. Joley

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Dated: May 5, 2010 Respectfully submitted,

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Counsel for Plaintiffs

## **CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2010, I electronically filed the foregoing document, including attachment, with the Clerk of the Court using the CM/ECF System which will send notification of such documents to the following:

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And I hereby certify that on May 5, 2010, I mailed by United States Postal Service, such documents to the following non-registered participants:

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